

THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, JULY 18, 2011 AT 6:30 P.M.

MEMBERS PRESENT WERE NORMAN VOYLES, BRIAN GOSS, AND DON ADAMS. BRENDA ADAMS, COUNTY AUDITOR, PETE FOLEY, COUNTY ATTORNEY, AND DEB VERLEY, ADMINISTRATIVE ASSISTANT, WERE ALSO PRESENT.

NORMAN VOYLES ASKED FOR A MOMENT OF SILENT PRAYER.

NORMAN VOYLES CALLED THE MEETING TO ORDER

BID OPENING – ROAD RESURFACING

Larry Smith, Morgan County Highway Engineer, stated that a new state law has been enacted effective July 1, 2011, and any public works project bid from July 1 to December 31, 2011 must have a common construction wage hearing. This was not advertised in the original bid packet. Notices have been sent to all firms that requested the bid packet to inform them that the bids will be opened at the next Commissioners' meeting, August 1, 2011. The wage hearing will be held tomorrow and Mr. Smith will send out an addendum to all bidders to include the results of the wage hearing; no bids were submitted.

WIRELESS INTERNET

Steve Powell, Director of External Affairs and Local Government Relations for AT&T Indiana, requested that the Board consider and pass a resolution supporting extension of wireless broadband throughout Indiana and Morgan County. There are a number of residents and businesses that do not have access to broadband service. The resolution supports AT&T's proposal to expand service into areas of the county that do not currently have broadband service. Mr. Powell asked that the Council also support the resolution. Mr. Powell stated that there has been an increase of 8,000% in the usage of broadband in the last four years. This resolution is linked to the acquisition of T-Mobile. The acquisition would give them the bandwidth and spectrum to deliver service to rural areas. Don Adams stated that he was delighted to see the expansion. Discussion followed regarding the quantity and placement of cell towers. Don Adams made a motion to support the resolution. Seconded by Brian Goss. Motion carried 3-0.

COMMON CONSTRUCTION WAGE HEARING APPOINTMENTS

Norman Voyles stated that the Town of Mooresville has requested an appointment to a common construction wage hearing for a paving project. Brian Goss made a motion to appoint Charles McGuire. Seconded by Don Adams. Motion carried 3-0.

Bradford Woods requested an appointment to a common construction wage hearing for a construction project. Don Adams made a motion to appoint Norman Voyles. Seconded by Brian Goss. Motion carried 3-0.

Norman Voyles stated that he was appointed to the wage hearing for the county paving project, but will not be able to attend the hearing Tuesday, July 19th and DNR (Department of Natural Resources) requested an appointment for their hearing to be held the same day for a construction project. Brian Goss made a motion to appoint Don Adams for both hearings. Seconded by Norman Voyles. Motion carried 2-0-1. Don Adams abstained.

PRECINCT BOUNDARIES CORRECTIONS ORDINANCE

Peggy Mayfield, Morgan County Clerk stated that the Commissioners and the Election Board received packets from the state regarding precinct boundaries. Because of the census, many of the boundaries must be changed. There is a 30-day window to start the process. If the Board plans on making any changes before the 2012 election, an objection must be filed. Ms. Mayfield stated that changes are needed, and this is the opportunity to do it. Brian Goss made a motion to approve and sign the Boundary Error Notice. Seconded by Don Adams. Motion carried 3-0.

ORDINANCE REGULATING TATTOO PARLORS

Dr. Paul Broderick stated that the existing ordinance was signed in 2002; this ordinance updates that ordinance and takes into consideration any state laws that have also been changed. Dr. Broderick outlined some of the changes such as permits, inspections, licenses, and permanent makeup and stated that this ordinance would replace the existing ordinance. Don Adams made a motion to approve the Ordinance Regulating Tattoo Parlors and Body Piercing Facilities in Morgan County, Indiana. Seconded by Brian Goss. Motion carried 3-0.

AMBULANCE COMMITTEE REPORT

Norman Voyles stated that the Board of Commissioners' appointed a study committee to look into

ambulance service in the county. Mike Ellis, Committee Chairman, thanked the other members of the committee, Charlie Beaver, Ron Burnett, Jeff Scalf, and Dave Reese. Mr. Ellis stated that the committee sent out letters to the townships and received several phone calls from residents expressing their opinion on the subject. The committee received responses from Adams, Ashland, Brown, Green, and Washington Townships and the Town of Brooklyn and Town of Paragon. Harrison Township contracts with White River Township (Rural Metro) for ambulance service and Monroe Township relies on Brown Township. There was no response from Gregg or Madison Township. Mr. Ellis stated that they compiled the number of runs for 2009 and 2010. There is excellent EMS in Morgan County, but there are some holes. The committee recommended that before any action is undertaken, the public should be educated about the cost and services of EMS. The committee came up with four possible EMS programs: fire department based EMS, private EMS service, hospital based EMS, central location for EMS. Mr. Ellis stated that there are so many differing opinions depending on township, trustee, fire department, and EMS. Don Adams thanked the committee for the work they did and stated he was concerned about response times. Mr. Ellis stated that that data was not submitted. Norman Voyles expressed his appreciation and stated that the Board would have more tasks and questions in the near future. Brian Goss also thanked the committee.

LAKE EDGEWOOD GRANT

Norman Voyles stated that Lake Edgewood established a conservancy district and has a grant to make improvements on their dam. The bids for the project came in \$50,000 higher than the engineer's estimate and the conservancy district applied for more grant money. The project is estimated to cost an additional \$50,000. The district requested an additional \$25,000 and will pay \$25,000 in matching funds. Mr. Voyles stated that the county is just a pass-through for the grant funds. Don Adams made a motion to approve Resolution No. 2011-7-18 Authorizing a Request for Grant Modification. Seconded by Brian Goss. Motion carried 3-0.

911 BOARD

Norman Voyles stated that at the last Board of Commissioners' meeting, the Board appointed Greg Williams as the part time 911 Director. Since then, he has tendered his resignation. Don Adams made a motion to accept the resignation effective July 11, 2011. Seconded by Brian Goss. Gerry McGrath stated that Greg Williams was a good worker. Don Adams stated that he would like three people to choose from for a replacement. Motion carried 3-0.

REZONE ORDINANCE – *Rodney Parks*

Pete Foley stated that a rezone ordinance rezoning property owned by Rodney Parks from B3 to Ag was approved by the Board at the January 19, 2010 Commissioner meeting. The ordinance was signed by the Board and at that time it was the applicant's obligation to record it; it was not recorded and the Board voted to repeal the ordinance. Mr. Peden, the attorney for the Plan Commission, was of the opinion that the failure of the property owner to record the ordinance should not be reason to void it. Mr. Foley recommended that from here on out, once the ordinance is approved, the county should record the ordinance. Norman Voyles asked if the recording fee could be included in the original application fee. Mr. Foley stated that it could be, but this would require an amendment of the zoning ordinance. Mr. Foley would also like to make it a requirement that the applicant provide a draft ordinance to the Commissioners prior to the meeting of the Commissioners; it should be the applicant's burden to provide that. Brian Goss made a motion to rescind the action taken at a prior meeting concerning the rezone of property owned by Rodney Parks. Seconded by Don Adams. Motion carried 3-0.

INCIDENT CLAIM

Don Adams made a motion to send the Slaten incident claim to the insurance company. Seconded by Brian Goss. Motion carried 3-0.

HIGHWAY / ENGINEER UPDATE

Larry Smith, Morgan County Highway Engineer, stated that crews are replacing a small structure on Brian Cemetery Road. There is a load limit issue on Center Valley Road. Trucks are traveling from the haydite plant toward State Road 67. The load limit on roads in residential areas is limited to 28,000 pounds. Mr. Smith asked to install "No through truck" signs in the area. Brian Goss suggested posting the load limit on the sign and made a motion to post the signs. Seconded by Don Adams. Mr. Smith stated that the ordinance number is 6-1-7.2. Motion carried 3-0.

The contractor has the deck off of Bridge #57. The skreet elevation is based upon the old deck and the contractor is to send the beam elevations to the designer before putting on the deck pans. The deck for Bridge #57 came out to 6-1/2" and it was supposed to be 8". They must now change the skreet elevations, but two forms were already installed. The contractor must now remove the forms and raise them. There is a cost involved in this and the state is willing to pay the contractor. The cost for this is between \$20,000 and \$25,000 and the county pays 20%. The contractor ran

over the time estimate and in an attempt to meet the construction deadline, they started the deck work before all the beams were exposed. The cost overrun will be in a change order.

COMMENT

Duane Stevens asked if the Board was responsible for the actions of people that they appoint to serve on boards. Mr. Stevens described an incident that happened in Lake Edgewood regarding two members of the conservancy district board. Pete Foley stated that the Board of Commissioners has no control over how individuals on a board conduct themselves. Mr. Stevens asked if the board can remove any of the board members. Mr. Foley stated that he did not think that they could, but he would look into it.

ADJOURNMENT

Brian Goss made a motion to adjourn the meeting. Seconded by Don Adams. Motion carried 3-0.

Morgan County Board of Commissioners

Norman Voyles

Brian Goss

Don Adams

Attest:

Brenda Adams, Morgan Co. Auditor